

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Dr. Richard Carrier,

Plaintiff,

v.

Case No. 2:16-cv-906

FreethoughtBlogs Network, et al.,

Judge Michael H. Watson

Defendants.

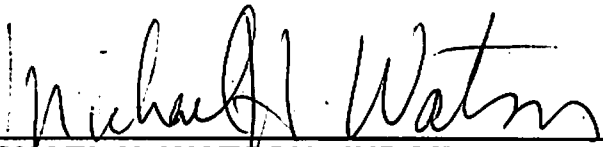
Magistrate Judge Deavers

ORDER

Pursuant to the parties' joint notice, ECF No. 38, Plaintiff's position is that an evidentiary hearing on the issue of personal jurisdiction is unnecessary, while Defendants believe that an evidentiary hearing is necessary to resolve disputed facts. Now that jurisdictional discovery is complete, the Court **ORDERS** the parties to brief the motion to dismiss. The previously-established deadline for said motion is May 30, 2018, ECF No. 35, and the motion should be briefed in accordance with the local rules and the Undersigned's standing orders. After the motion is fully briefed, the Court will be in a position to determine if the record is sufficiently developed to rule on the motion without a hearing. The Court will thus determine, after reviewing the briefing, whether an evidentiary hearing is necessary to resolve disputed issues of fact. See *Theunissen v. Matthews*, 935 F.2d 1454, 1458 (6th Cir. 1991) (stating that a court may decide motions to dismiss based on affidavits, permit discovery, or conduct evidentiary hearing to resolve apparent factual questions, but "the method selected will affect the

burden of proof the plaintiff must bear to avoid dismissal"). Accordingly, ECF No. 23 is **DENIED** at this time.

IT IS SO ORDERED.


MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT